

**LAW OFFICES OF
LOUIS E. GITOMER**

LOUIS E. GITOMER
LOU_GITOMER@VERIZON.NET

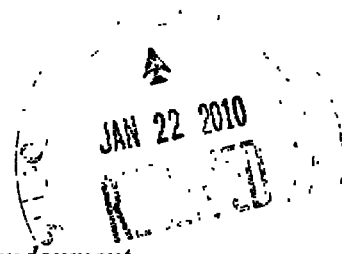
MELANIE B. YASBIN
MELANIE@LGRAILLAW.COM

THE ADAMS BUILDING, SUITE 301
600 BALTIMORE AVENUE
TOWSON, MARYLAND 21204-4022
(202) 466-6532
FAX (410) 332-0885

226334

January 22, 2010

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423



Re: Docket No. AB-55 (Sub-No. 696X), *CSX Transportation, Inc.—Abandonment
Exemption—in Lucas County, OH*

Dear Ms. Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to abandon a 4.15 mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision, between Temperance, milepost CTT 5.0 and Vulcan, milepost CTT 9.15, in Lucas County, OH. Also enclosed are a check for the filing fee of \$3,700, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

FEE RECEIVED

JAN 22 2010

Sincerely yours.

Melanie B. Yasbin, Esq.
Attorney for CSX Transportation, Inc.

TRANSPORTATION BOARD
Enclosure

ENTERED
Office of Proceedings

JAN 22 2010

Part of
Public Record

FILED

JAN 22 2010

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 696X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN LUCAS COUNTY, OH

VERIFIED NOTICE OF EXEMPTION

Steven Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(202) 466-6532

Attorneys for: CSX TRANSPORTATION.
INC.

Dated: January 22, 2010

A
JAN 22 2010
RECEIVED

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 696X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN LUCAS COUNTY, OH

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon an approximately 4.15-mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision, between Temperance, milepost CTT 5.0. and Vulcan, milepost CTT 9.15, in Lucas County, OH (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can and has been rerouted.

1. Proposed consummation date. The proposed consummation date is March 23, 2010.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 696X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN LUCAS COUNTY, OH

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon an approximately 4.15-mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision, between Temperance, milepost CTT 5.0, and Vulcan, milepost CTT 9.15, in Lucas County, OH (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can and has been rerouted.

1. Proposed consummation date. The proposed consummation date is March 22, 2010.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 4.15-mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision, between Temperance, milepost CTT 5.0, and Vulcan, milepost CTT 9.15, in Lucas County, OH. There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Melanie B. Yasbin, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204. (410) 296-2205, Melanie@lgrailaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses. The Line traverses U.S. Postal ZIP Codes 43607, 43606, 43613, and 43612.

(e) Rural and community impact.

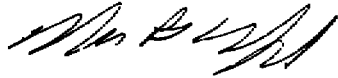
(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT believes that the Line proposed for abandonment may be suitable for other purposes. CSXT has been engaged in discussions with the Toledo Metropolitan Area Council of Governments concerning the sale of the Line for interim trail use/rail banking under 16 U.S.C. §1247(d). The Line may be subject to reversionary interests.

4. The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).
5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.
6. Environmental Report. *See* Exhibit D. Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.
7. Historic Report. *See* Exhibit E.

Steven Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Respectfully submitted,



Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(202) 466-6532

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: January 22, 2010.

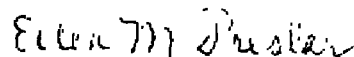
EXHIBIT A

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA)
) ss.
COUNTY OF DUVAL)

I, Ellen M. Preslar, being duly sworn, depose and state that I am Manager Regulatory Costing for Network Rationalization of CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that no local traffic has moved over CSXT's 4.15-mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision from Railroad Milepost CTT 5 (Temperance) to Railroad Milepost 9.15 (Vulcan), known as the Toledo Backside in Toledo, Lucas County, Ohio, for at least two years prior to the date hereof, and that any overhead traffic on the line can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.



Ellen M. Preslar

SUBSCRIBED AND SWORN TO before me this 13th day of January 2010.

My Commission Expires: 4/09/2013

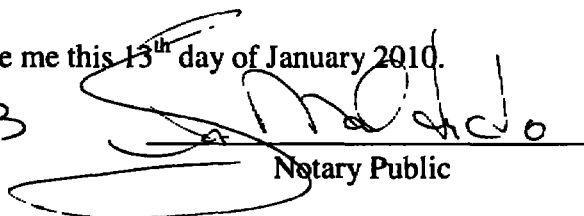
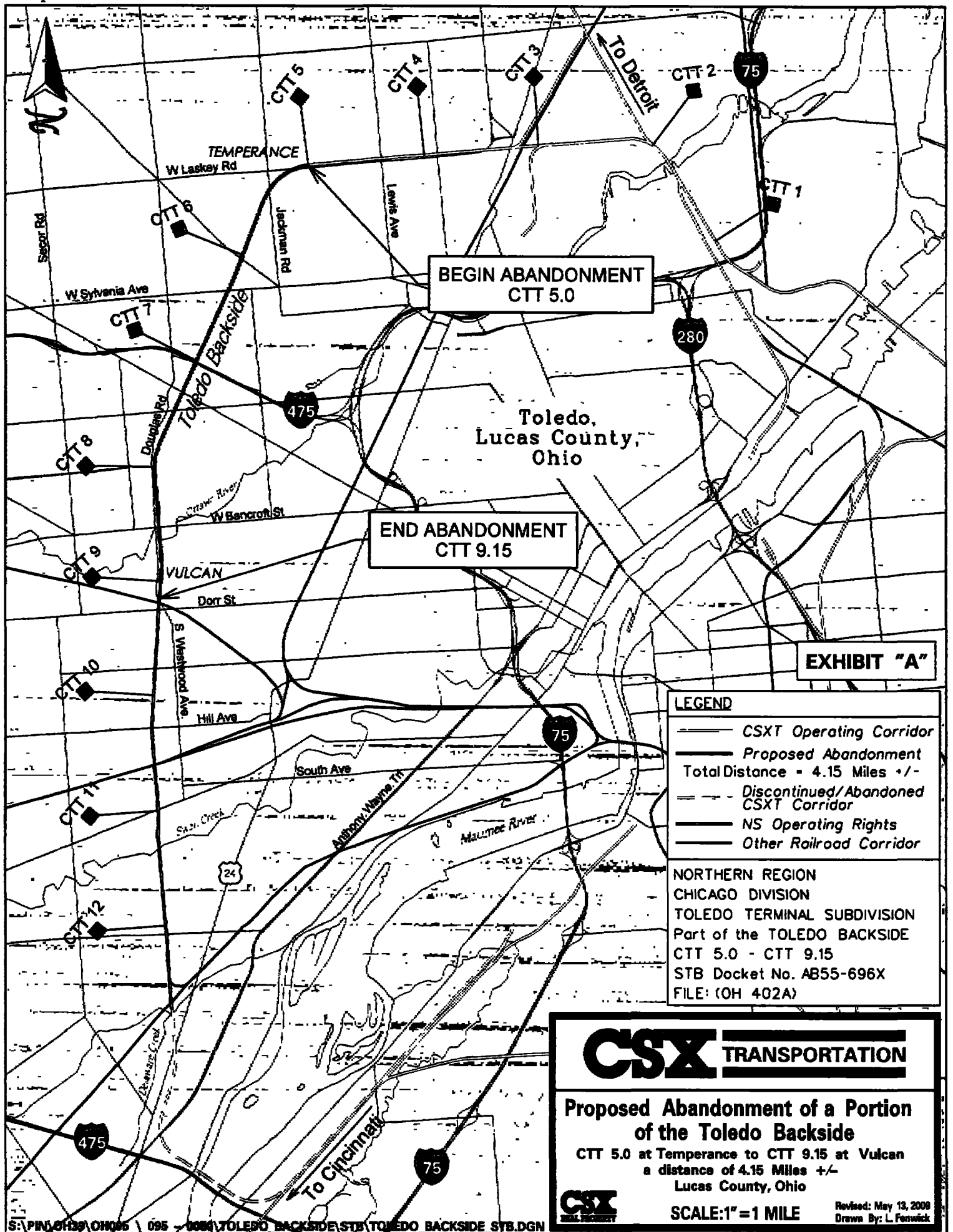
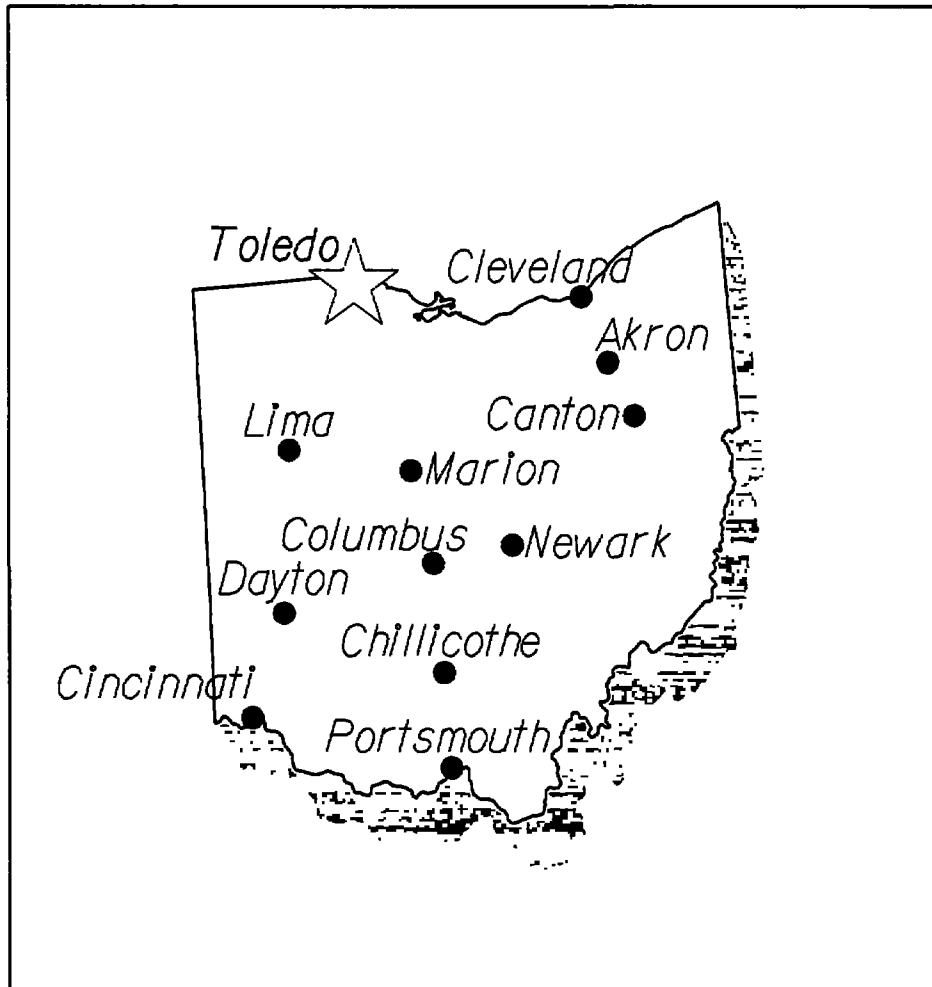

Notary Public



EXHIBIT B

MAP





Toledo, OH

AREA MAP

- Proposed Abandonment -

A Portion of the Toledo Backside
from CTT 5.0 at Temperance to CTT 9.15 at Vulcan,
a Distance of 4.15 miles +/-.

City of Toledo, Lucas County, Ohio

EXHIBIT C

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 696X) was mailed via first class mail on January 12, 2010, to the following parties:

State Public Service Commission

The Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215

The Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, 62225-5357

National Park Service

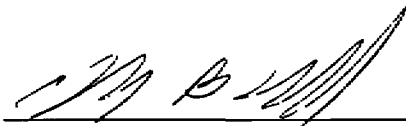
Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

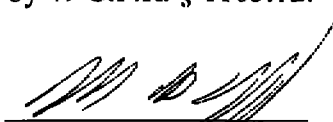
U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003

A handwritten signature in black ink, appearing to read 'Melanie B. Yasbin', is written over a horizontal line.

Melanie B. Yasbin
January 22, 2010

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 696X) was advertised on January 15, 2009 in the Toledo Blade, a newspaper of general circulation in Lucas County, OH as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read 'Melanie B. Yasbin', is written over a horizontal line.

Melanie B. Yasbin
January 22, 2010

CSX Transportation, Inc. gives notice that on or about January 22, 2010 it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of an approximately 4.15-mile rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision, between Temperance, milepost CTT 5.0. and Vulcan, milepost CTT 9.15, which traverses through United States Postal Service ZIP Codes 43607, 43606, 43613, and 43612 in Lucas County, OH (the “Line”). The proceeding has been docketed as No. AB-55 (Sub-No. 696X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA at 202-245-0295

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board and addressed to Chief, Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-245-0233. Copies of any comments or requests for conditions should be served on the applicant's representative: Melanie Yashin, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, 410-296-2250, email at Melanie@lgrailaw.com.

EXHIBIT D- ENVIRONMENTAL REPORT

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC. TOLEDO, LUCAS COUNTY, OHIO DOCKET AB-55 (SUB-NO. 696X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

CSXT proposes to abandon approximately 4.15 miles of its rail line between from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), known as the Toledo Backside in Toledo, Lucas County, Ohio.

The above referenced 4.15-mile line has not generated any originating or terminating traffic in over ten (10) years. Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Finally, the operations and maintenance of this line will cease.

CSXT is negotiating with the Toledo Metropolitan Area Council of Governments (TMACOG) and the Trust for Public Lands (TPL) for their potential acquisition of the subject line segment as a Rails to Trails.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2)

Further attached is a distribution list of all parties who have received a copy of this report. (See Attachment 3)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There is no passenger or freight traffic on this line. Since there has not been any traffic on this line in over 10 years, there will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

Applicant received a response dated May 18, 2009 from Mr. Tom Lemon of the Toledo-Lucas County Plan Commissions stating *"The proposed abandonment of the rail line, if made available for recreational trail purposes, would be consistent with these plans."* (See Attachment 4)

Based on Applicants willingness to negotiate for the potential acquisition of the line as a recreational trail, Applicant believes the proposed action is consistent with local land use plans.

- (ii) Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

Applicant has not received a response to its May 14, 2009 inquiry to the U.S. Department of Agriculture, Natural Resources Conservation Service in Wauseon, Ohio requesting information regarding this statement. (See Attachment 5)

While some prime farmland may exist in the vicinity of this project, Applicant feels the simple removal of track material should not have an adverse impact.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.**

Applicant received a response dated May 20, 2009 from Mr. Steve Holland of the Ohio Coastal Management Program – ODNR stating *"This section of rail line is not located within Ohio's designated coastal zone. As such...this activity will not require a CZMA Federal Consistency review by the Ohio Coastal Management Program."* (See Attachment 6)

- (iv) **If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

The properties proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

As previously stated, CSXT is negotiating with the Toledo Metropolitan Area Council of Governments (TMACOG) and the Trust for Public Lands (TPL) for their potential acquisition of the subject line segment as a Rails to Trails.

(4) ENERGY

- (i) **Describe the effect of the proposed action on transportation of energy resources.**

The proposed action will have no effect on the movement and/or recovery of energy resources.

- (ii) **Describe the effect of the proposed action on recyclable commodities.**

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

- (iii) **State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.**

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) **If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

There will be no diversion of rail traffic to motor carriage.

(5) AIR

- (i) **If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.**

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

Applicant believes that the abandonment will result in improvement to public safety by the elimination of 5 public, at-grade road crossings.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments,

accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

- (iii) **If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous materials involved.**

Applicant's records do not indicate any known hazardous material spills or hazardous waste sites.

(8) BIOLOGICAL RESOURCES

- (i) **Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant received a response dated May 29, 2009 from Mr. Patrick Carroll of the U.S. Fish and Wildlife Service in Fort Snelling, Minnesota stating *"...we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments." We do not have any concerns...*" (See Attachment 7)

Applicant received a response dated June 10, 2009 from Ms. Mary Knapp of the U.S. Fish and Wildlife Service in Columbus Ohio stating *"...we have no objection to the proposed project."* (See Attachment 7A)

- (ii) **State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(9) WATER

- (i) **Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

Applicant has not received a response to its May 14, 2009 inquiry to the Ohio Department of Natural Resources in Columbus, Ohio requesting information regarding this statement. (See Attachment 8)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (ii) **Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

Applicant has not received a response to its May 14, 2009 inquiry to the U.S. Army Corps of Engineers in Cincinnati, Ohio requesting information regarding this statement. (See Attachment 9)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying road-bed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

Applicant has not received a response to its May 14, 2009 inquiry to the U.S. Environmental Protection Agency in Chicago, Illinois (Region 5) requesting information regarding this statement. (See Attachment 10)

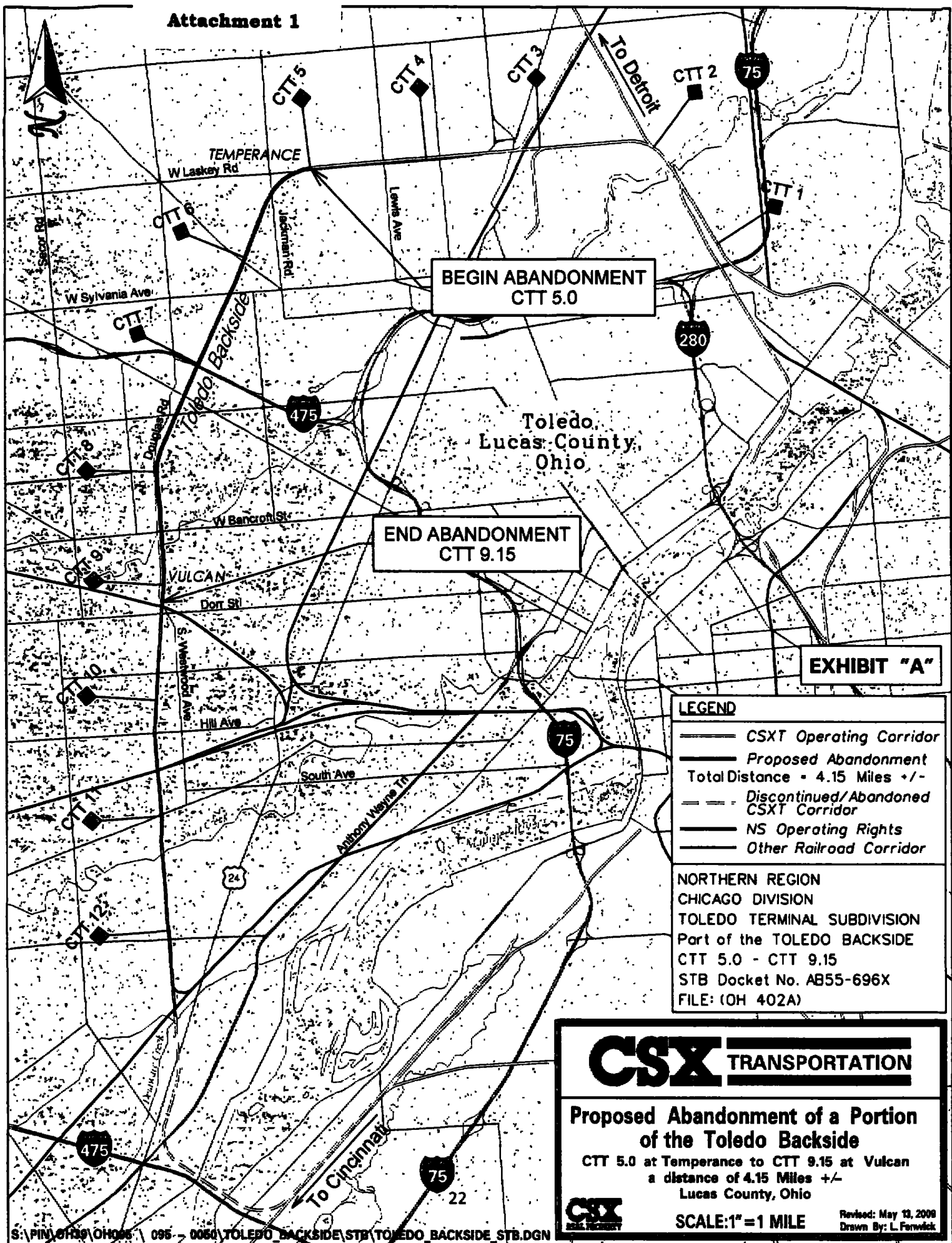
Based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

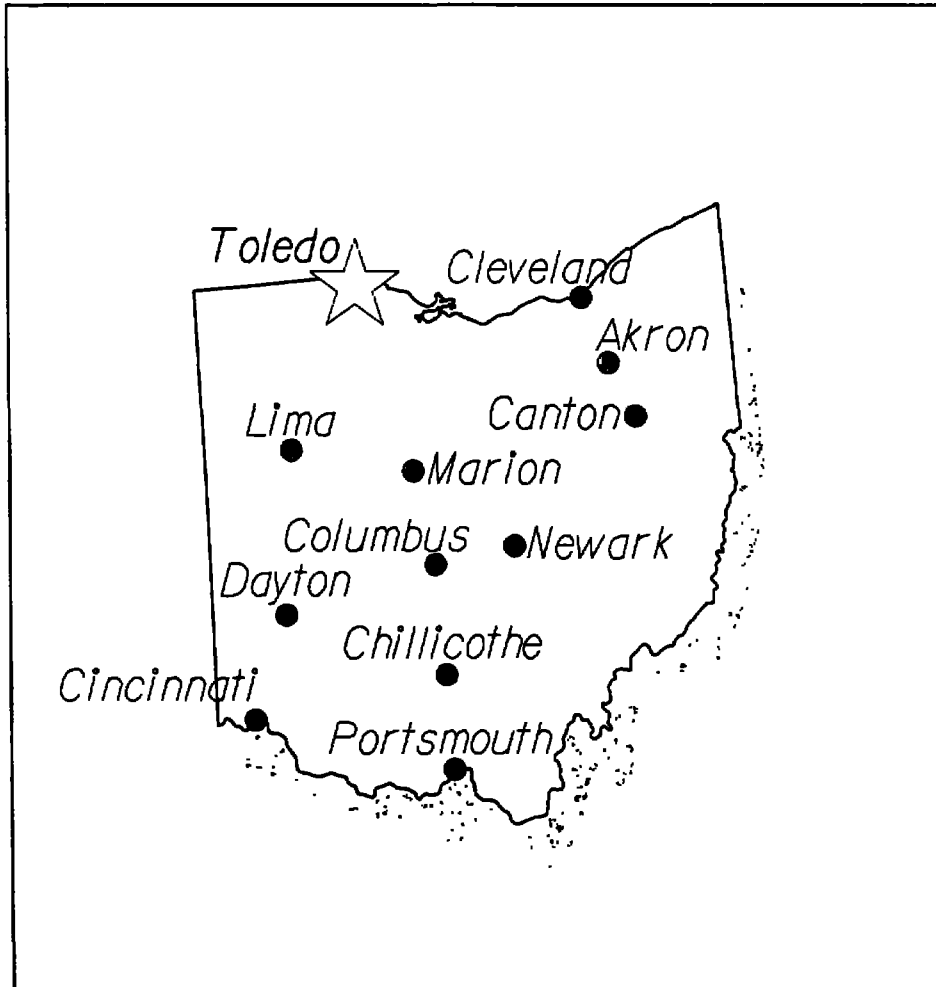
10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this abandonment. However, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required.

Attachment 1





Toledo, OH
AREA MAP

- Proposed Abandonment -

A Portion of the Toledo Backside
from CTT 5.0 at Temperance to CTT 9.15 at Vulcan,
a Distance of 4.15 miles +/-.
City of Toledo, Lucas County, Ohio

Attachment 3

**CSXT Abandonment External Distribution List
Toledo Backside, Toledo, Lucas County, Ohio
AB 55 Sub No. 696X**

Mr. Calvin Lawshe
Director – Toledo & Lucas County
Planning Commission
1 Government Center
Suite 1620
Toledo, OH 43604

Mr. Tom Lemmon
Administrator – Toledo & Lucas County
Planning Commission
1 Government Center
Suite 1620
Toledo, OH 43604

Mr. Ken Westlake
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Ohio Department of Natural Resources
2045 Morse Road
Building B
Columbus, OH 43229-6693

U.S. Fish & Wildlife Service
One Federal Drive
Fort Snelling, MN 55111-4056

US Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street
Room #10032
Cincinnati, OH 45202-3222

USDA – NRCS
Wauseon Service Center
8770 State Route 108
Wauseon, OH 43567-9663

National Park Service
Midwest Region
Regional Director
601 Riverfront Drive
Omaha, NE 68102

Toledo Metropolitan Area Council of
Governments (TMACOG)
P.O. Box 9508
Toledo, Ohio 43697-9508

Mr. Lou Jannazo
Ohio Rail Development Commission
50 West Broad Street
15th Floor
Columbus, OH 43215

Mr. David Dysard
Ohio Department of Transportation
317 East Poe Road
Bowling Green, OH 43402-1330

Neal K. Hess
Project Manager
The Trust for Public Land
1422 Euclid Avenue, Suite 340
Cleveland, Ohio 44115

Ohio Department of Natural Resources
Office of Coastal Management
105 W. Shoreline Drive
Sandusky OH 44870

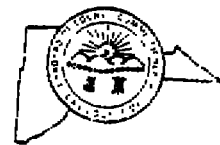
National Geodetic Service (NOAA) at
'NGS.InfoCenter@noaa.gov' (via email)



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

CALVIN J. LAWSHE, DIRECTOR



Attachment 4

May 18, 2009

Dave Geraci
Manager -- Network Rationalization
CSX Transportation
600 Water Street -- J200
Jacksonville, FL 32202

RE: Proposed abandonment of a portion of CSX rail line known as the Toledo Backside

Dear Mr. Geraci:

The portion of the CSX rail line detailed in your May 14, 2009 request for comments has been designated for recreational trail purposes in the *Toledo 20/20 Comprehensive Plan* (recommendation number 84 and Figure 3-1 Future Land Use Plan), adopted by Toledo City Council Ordinance 827-00 in September 2000, and in the *City of Toledo Greenways Trail Plan*. The proposed abandonment of the rail line, if made available for recreational trail purposes, would be consistent with these plans.

Please contact me if you need any additional information.

Sincerely,

Tom Lemon
Acting Administrator

Cc: Calvin J. Lawshe, Director
Robert R. Reinbolt, Chief of Staff

Attachment 5



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 833-1068
FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

May 14, 2009

USDA - NRCS
Wauseon Service Center
8770 State Route 108
Wauseon, OH 43567-9663

Dear NRCS:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), a distance of 4.15 miles known as the Toledo Backside in Toledo, Lucas County, Ohio, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(ii) require that CSXT develop a response to the following statement:

"Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land."

Please advise if any of the land contiguous to CSXT's line in the project area is classified as prime agriculture land.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Geraci", with a horizontal line extending to the right.

Attachment

Geraci, Dave

From: Holland, Steven [Steven.Holland@dnr.state.oh.us]
Sent: Wednesday, May 20, 2009 11:32 AM
To: Geraci, Dave
Subject: Railroad Abandonment in Lucas County

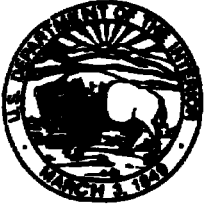
Hello Mr. Geraci,

I received your letter dated May 14, 2009 on May 18, 2009. In your letter, it is stated that CSX Transportation is considering abandonment of a portion of its rail line from Railroad Milepost CTT 5 to Railroad Milepost CTT 9.15, known as the Toledo Backside, in Toledo, Ohio. This section of rail line is not located within Ohio's designated coastal zone. As such, unless CSX has determined that this activity will have a reasonably foreseeable effect on any use or resource of Ohio's coastal zone, this activity will not require a CZMA Federal Consistency review by the Ohio Coastal Management Program.

No further coordination with this office regarding Federal Consistency for this project is required. Thank you for your cooperation in protecting Ohio's coastal resources.

Steve

Steve Holland, MPA
Federal Consistency Coordinator
Ohio Coastal Management Program
ODNR Office of Coastal Management
105 West Shoreline Drive
Sandusky, Ohio 44870
(419) 626-7980
www.ohiodnr.com/coastal



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

FWS/NWRS-RE - General
Railroad Abandonments

May 29, 2009

Mr. Dave Geraci
CSX Transportation
500 Water Street – J200
Jacksonville, Florida 32202

Dear Mr. Geraci:

Thank you for the opportunity to comment on the proposed abandonment of service on 4.15 miles of railroad line between Railroad Milepost CTT 5 (near Temperance) and Railroad Milepost CTT 9.15 (near Vulcan); STB Docket No. AB-55 (Sub-No. 696X).

We have researched our ownerships in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments.

Sincerely,

Patrick G. Carroll
Senior Realty Officer
Division of Realty



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4625 Morse Road, Suite 104
Columbus, Ohio 43230
614-416-8993 / FAX 614-416-8994
June 10, 2009

Tails: 2009-TA-0694

Mr. Dave Geraci
CSX Transportation
500 Water St.-J200
Jacksonville, FL 32202

Re: Abandonment of rail line from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), a distance of 4.15 miles known as the Toledo Backside, Toledo, Lucas County, OH.

Dear Mr. Geraci:

We have received your recent correspondence requesting information about the subject proposal. There are no Federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the project area. Based on the information you have provided, at this time we have no objection to the proposed project.

ENDANGERED SPECIES COMMENTS: Due to the project type, size, and location, we do not anticipate any impact on federally listed endangered, threatened, or candidate species, or their habitats. Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts.

If you have additional questions or require further assistance with your project proposal, please contact me at the following number (614) 416-8993 x12. I would be happy to discuss the project in further detail with you and provide additional assistance if necessary. In addition, you can find more information on natural resources in Ohio by visiting our homepage at: <http://www.fws.gov/midwest/Reynoldsburg>.

Sincerely,

for Mary Knapp, Ph.D.
Field Supervisor

Attachment 8



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 14, 2009

Ohio Department of Natural Resources
2045 Morse Road
Building B
Columbus, OH 43229-6693

Dear ODNR:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), a distance of 4.15 miles known as the Toledo Backside in Toledo, Lucas County, Ohio, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The cross-ties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", written over a horizontal line.

Attachment

Attachment 9



TRANSPORTATION
Dave Geraci
Manager - Network Rationalization

600 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1000
FAX: (904) 246-2226
E-Mail: Dave_Geraci@CSX.com

May 14, 2009

U.S. Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street
Room #10032
Cincinnati, OH 45202-3222

Dear USACE:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), a distance of 4.15 miles known as the Toledo Backside in Toledo, Lucas County, Ohio, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9)(ii) require that CSXT develop a response to the following statement:

"Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100 year flood plains will be affected. Describe the effects."

It is CSXT's opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. CSXT does not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and CSXT does not anticipate any dredging or use of fill in the removal of the track material. The track removal will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways.

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to be "Dave Geraci".

Attachment



Dave Geraci
Manager - Network Rationalization

Attachment 10

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 833-1068
FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

May 14, 2009

Mr. Ken Westlake
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Dear Mr. Westlake:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), a distance of 4.15 miles known as the Toledo Backside in Toledo, Lucas County, Ohio, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachment

•
•
•
•

**ENVIRONMENTAL REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 696X) was mailed via first class mail on December 22, 2009 to the following parties:

Mr. Calvin Lawshe
Director – Toledo & Lucas County Planning Commission
1 Government Center
Suite 1620
Toledo, OH 43604

Mr. Tom Lemmon
Administrator – Toledo & Lucas County Planning Commission
1 Government Center
Suite 1620
Toledo, OH 43604

Mr. Ken Westlake
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Ohio Department of Natural Resources
2045 Morse Road
Building B
Columbus, OH 43229-6693

U.S. Fish & Wildlife Service
One Federal Drive
Fort Snelling, MN 55111-4056

US Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street
Room #10032
Cincinnati, OH 45202-3222

USDA – NRCS
Wauseon Service Center
8770 State Route 108
Wauseon, OH 43567-9663

National Park Service
Midwest Region
Regional Director
601 Riverfront Drive
Omaha, NE 68102

Toledo Metropolitan Area Council of Governments (TMACOG)
P.O. Box 9508
Toledo, Ohio 43697-9508


Mr. Lou Jannazo
Ohio Rail Development Commission
50 West Broad Street
15th Floor
Columbus, OH 43215

Mr. David Dysard
Ohio Department of Transportation
317 East Poe Road
Bowling Green, OH 43402-1330

Neal K. Hess
Project Manager
The Trust for Public Land
1422 Euclid Avenue, Suite 340
Cleveland, Ohio 44115

Ohio Department of Natural Resources
Office of Coastal Management
105 W. Shoreline Drive
Sandusky OH 44870

National Geodetic Service (NOAA)
at 'NGS.InfoCenter@noaa.gov' (via email)



Melanie B. Yasbin
January 22, 2010

•
•
•
•

EXHIBIT E– HISTORIC REPORT



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Services

August 7, 2009

Dr. William Laidlaw, Jr. SHPO
Ohio Historic Preservation Office
Ohio Historical Society
1982 Velma Avenue
Columbus, OH 43211-1030

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Toledo, Lucas County, Ohio
Docket AB-55 (Sub-No. 696X)

Dear Mr. Laidlaw:

Please be advised that CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon service from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost 9.15 (near Vulcan), a distance of 4.15 miles known as a portion of the Toledo Backside in Toledo, Lucas County, Ohio, as shown in the attached historic report.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

I would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources.

If you have questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", written over a horizontal line.

Attachment

Copy: STB - SEA, 395 East Street, SW, Washington; DC 20423-0001

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
TOLEDO, LUCAS COUNTY, OHIO
DOCKET AB-55 (SUB-NO. 696X)**

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSXT proposes to abandon approximately 4.15 miles of its rail line between from Railroad Milepost CTT 5 (near Temperance) to Railroad Milepost CTT 9.15 (near Vulcan), known as the Toledo Backside in Toledo, Lucas County, Ohio.

The above referenced 4.15-mile line has not generated any originating or terminating traffic in over ten (10) years. Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Finally, the operations and maintenance of this line will cease.

CSXT is negotiating with the Toledo Metropolitan Area Council of Governments (TMACOG) and the Trust for Public Lands (TPL) for their potential acquisition of the subject line segment as a Rails to Trails.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached is a copy of the Toledo quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared by the U. S. Department of Interior Geological Survey.

The line to be abandoned has been identified by a heavy red line with black dashes. (See Attachment 3)

There is one (1) CSXT-owned structure that is 50 years old or older that may be eligible for listing in the National Register that are part of the proposed action.

- (2) A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way width along this right of way is approximately twenty (20) to forty (40) feet from the centerline of track. The line traverses the City of Toledo in a generally northeast direction and runs through a primarily urban area with parcels of light commercial land adjacent to the line segment.

- (3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Color Photographs of the structure have been printed on 75-year archival paper and included. (See Attachments 4 and 5)

- (4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Bridge Number 7.99 is located near Douglas Road and West Bancroft Street near the University of Toledo. This is a 130-foot deck-plate-girder (steel) bridge that traverses the Ottawa River and was built in 1914 by the Toledo Terminal Railroad.

The structure is an industry standard steel bridge that has been modified as necessary throughout its existence to maintain safe railroad operation.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

The subject line was a portion of the Toledo Railway and Terminal Company which was constructed as a belt line encircling the City of Toledo between 1901 and 1903 and provided direct interchange with various railroads. The Toledo Terminal Railroad (TTR) acquired the line through foreclosure proceedings in 1907, and incorporated on December 4, 1907. The line was operated by the Pere Marquette Railroad Company (PM) and six other initial proprietors. The PM was organized under the laws of the State of Michigan on March 12, 1917, for the purpose of acquiring the property of the Pere Marquette Railroad Company, and its Receivers which included the properties of the TTR.

In 1947, the Chesapeake and Ohio Railway Company (C&O) acquired the PM with its 1,941 miles of line in Michigan, Ohio, Indiana, Illinois, Canada and New York.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie Systems Railroads was adopted as the new corporate identity for the C&O, Baltimore & Ohio Railroad Company (B&O) and the Western Maryland Railway Company (WM). On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie Systems Inc. merged and became CSX Corporation. On April 30, 1987, The B&O was merged into the C&O with the remaining a separate entity. The C&O was merged into CSX Transportation (CSXT) on September 2, 1987. On December 29, 1989, the TTR was merged into CSXT.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

The only available Engineering Sketch of bridge 7.99 has been included. (See Attachment 6)

- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

A review of our records indicates there is one (1) CSXT-owned structure over 50 years old on this line segment that may be eligible for listing in the National Register.

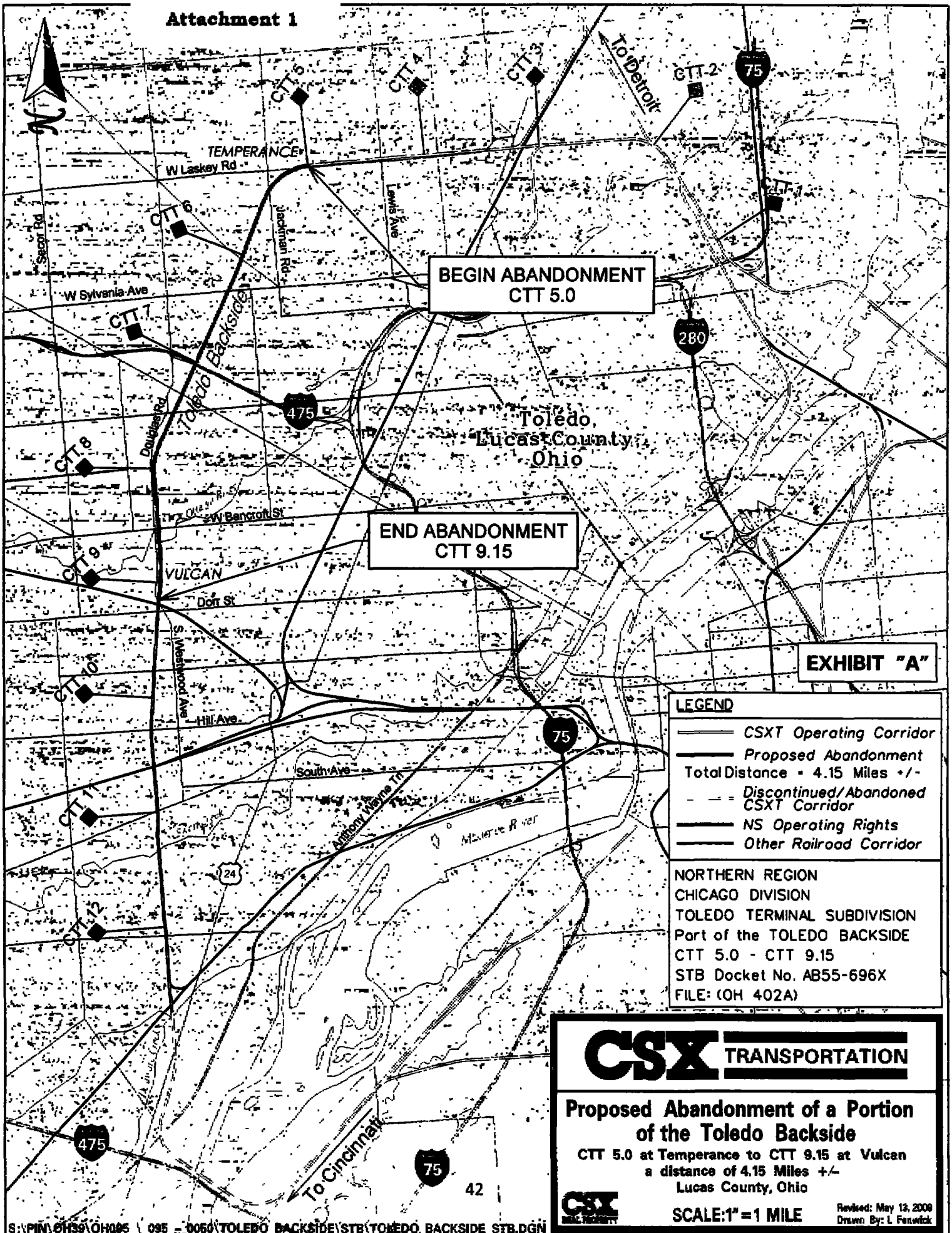
We do not know of any significance or uniqueness to this structure that would warrant your consideration, since to our knowledge, it is not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

Attachment 1



**BEGIN ABANDONMENT
CTT 5.0**

**END ABANDONMENT
CTT 9.15**

EXHIBIT "A"

LEGEND

- CSXT Operating Corridor
- Proposed Abandonment
Total Distance = 4.15 Miles +/-
- - - Discontinued/Abandoned
CSXT Corridor
- NS Operating Rights
- Other Railroad Corridor

NORTHERN REGION
CHICAGO DIVISION
TOLEDO TERMINAL SUBDIVISION
Part of the TOLEDO BACKSIDE
CTT 5.0 - CTT 9.15
STB Docket No. AB55-696X
FILE: (OH 402A)

CSX TRANSPORTATION

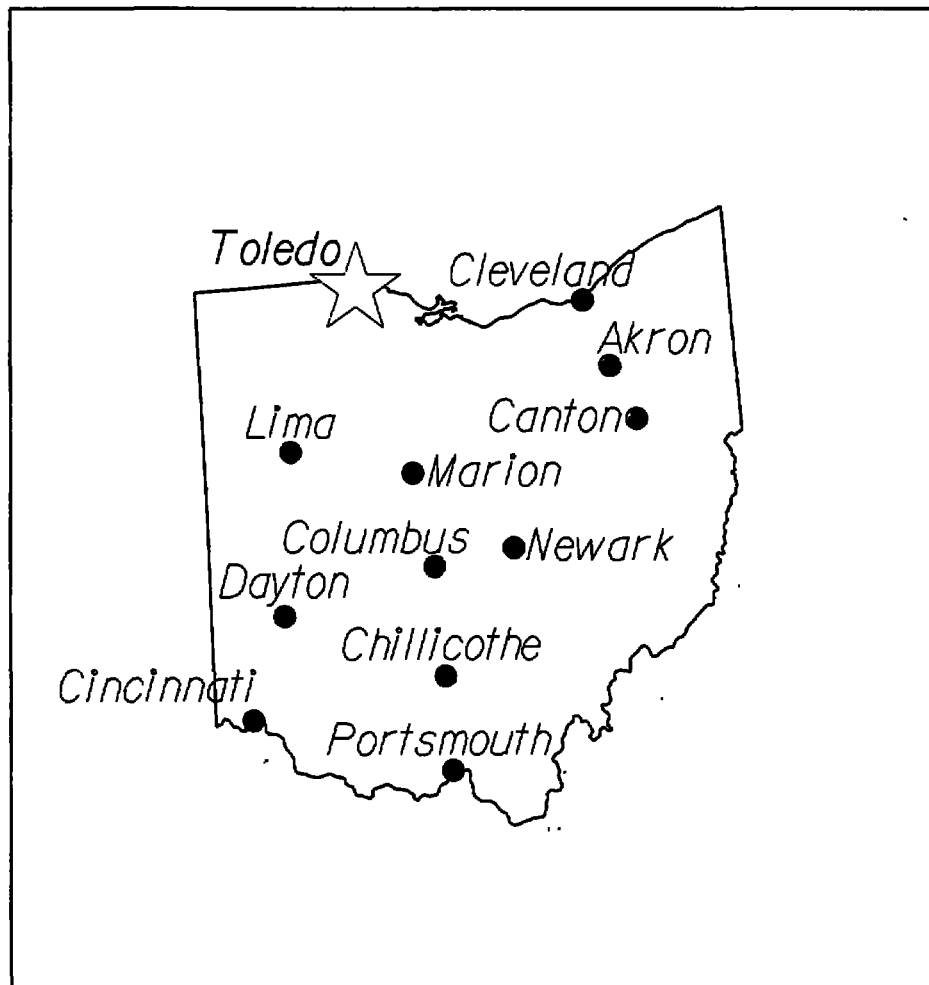
Proposed Abandonment of a Portion of the Toledo Backside

CTT 5.0 at Temperance to CTT 9.15 at Vulcan
a distance of 4.15 Miles +/-
Lucas County, Ohio



SCALE: 1" = 1 MILE

Revised: May 13, 2009
Drawn By: L. Farwick



Toledo, OH

AREA MAP

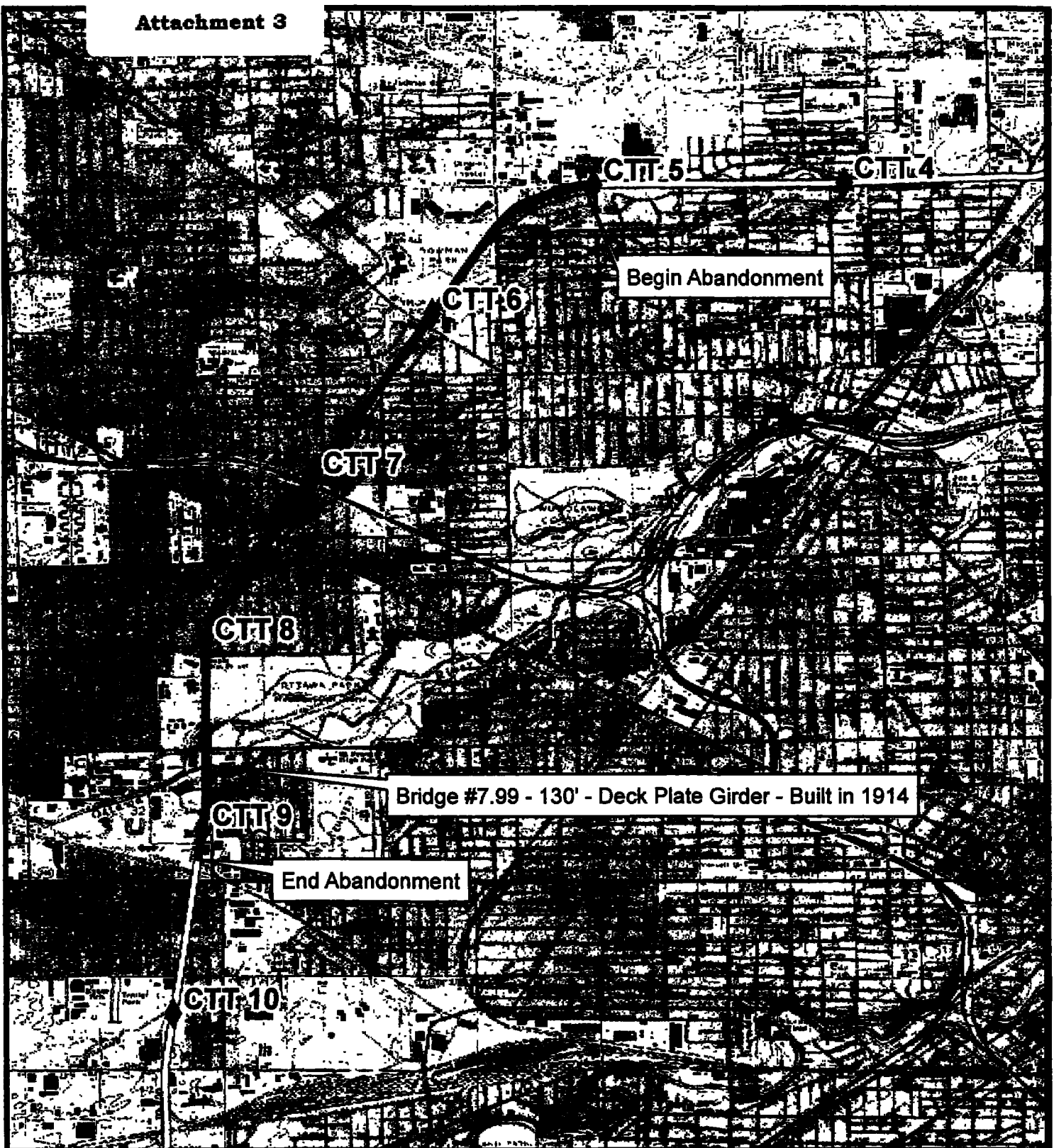
- Proposed Abandonment -

A Portion of the Toledo Backside
from CTT 5.0 at Temperance to CTT 9.15 at Vulcan,
a Distance of 4.15 miles +/-.
City of Toledo, Lucas County, Ohio

;

-1

Attachment 3



Legend

- SUBJECT
- CSX

Approximate Latitude and Longitude at CTT 5.0 - Toledo Backside -
 N41° 42' 24.69", W83° 34' 40.01"
 Topo: USGS 24k TOLEDO Quad (USGS_QD_ID: 41083-F5)
 Projection is: GCS_WGS_1984 - UTM Zone 17 (NAD83)

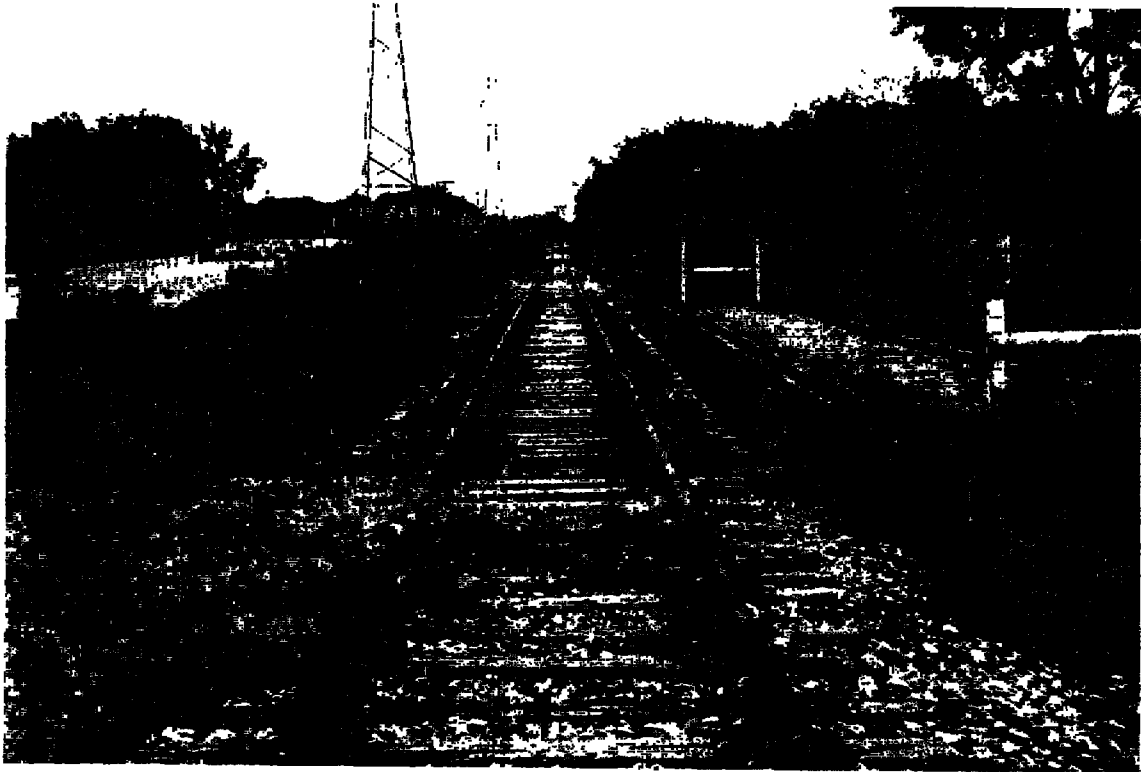
CSX
 REAL PROPERTY
 GIS MAPPING SERVICE

Drawn By: Larry Fenwick
 Rev. Date: May 13, 2009

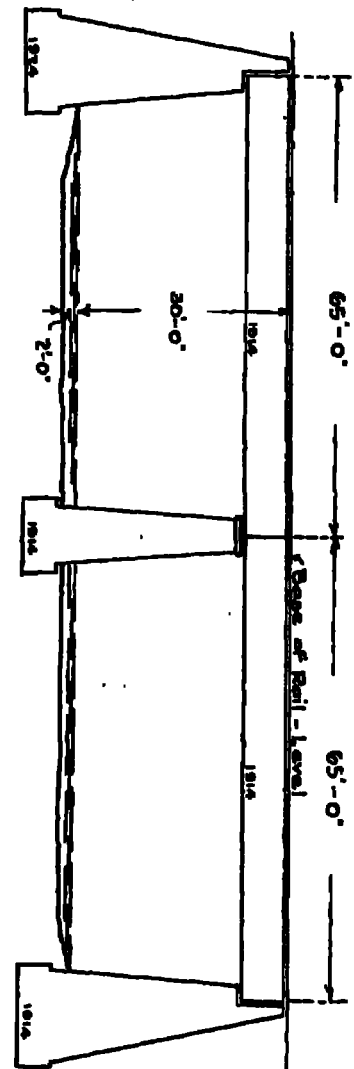
Attachment 4



Attachment 5



Attachment 6



DRAWING NO.

SINGLE TRACK

File 5760
Scale 1"=20'
Aug. 1975

REMARKS

PHYSICAL CONDITION

STATION - Vulcan
CROSSING - Ottawa River
MILE - 3/4 mile no. Vulcan
ALIGNMENT - Tangent
ANGLE - 90°

CLEAR HEAD
CLEAR WIDTH
BUILT - 1914
LIVE LOAD - Coopers E-60
MATERIAL - OH Structural Steel

RAILROAD BRIDGE

OLD NR. 10 NEW NR. 7,290

TOLEDO TERMINAL RAILROAD

B1001062

B-33-3-2632



December 9, 2009

Dave Geraci
CSX Transportation
500 Water Street, J200
Jacksonville, FL 32202

Re: CSX Abandonment Toledo Backside
STB Docket No. AB-55 (Sub-No. 696X)
Toledo, Lucas County, Ohio

Dear Mr. Geraci,

This is in response to correspondence from your office dated August 7, 2009 (received August 18) regarding the above referenced project. The comments of the Ohio Historic Preservation Office (OHPO) are submitted in accordance with provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 [36 CFR 800]).

The project involves abandonment of approximately 4.15 miles of railroad line that is a portion of the section known as the Toledo Backside. The line is currently not in use. Based on available information it is our opinion that the railroad bridge built in 1914 crossing the Ottawa River doesn't meet National Register eligibility criteria. The structure is plain and doesn't evidence distinctive engineering or architectural design. The Ottawa River floodplain is archaeologically sensitive even though portions of the floodplain have been disturbed by golf course construction. The proposed abandonment doesn't extend through a listed historic district. Based on available information, it is our opinion that there will be no historic properties affected by the proposed abandonment. Further coordination with this office is recommended if construction is proposed that has the potential to cause ground disturbance along the Ottawa River. In addition, if new or additional properties are discovered this office should be notified [36 CFR 800.13].

Any questions concerning this matter should be addressed to David Snyder at (614) 298-2000, between the hours of 8 am. to 5 pm. Thank you for your cooperation.

Sincerely,

David Snyder, Ph.D., RPA, Archaeology Reviews Manager
Resource Protection and Review

DMS/ds (OHPO Serial Number 1027525)

OHIO HISTORICAL SOCIETY

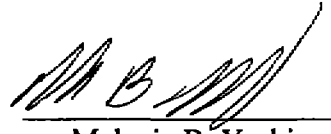
Ohio Historic Preservation Office

1982 Velma Avenue, Columbus, Ohio 43211-2497 ph: 614 298 7000 fx: 614 298 2037
www.ohiohistory.org

**HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 696X) was mailed via first class mail on August 7, 2009, to the following parties:

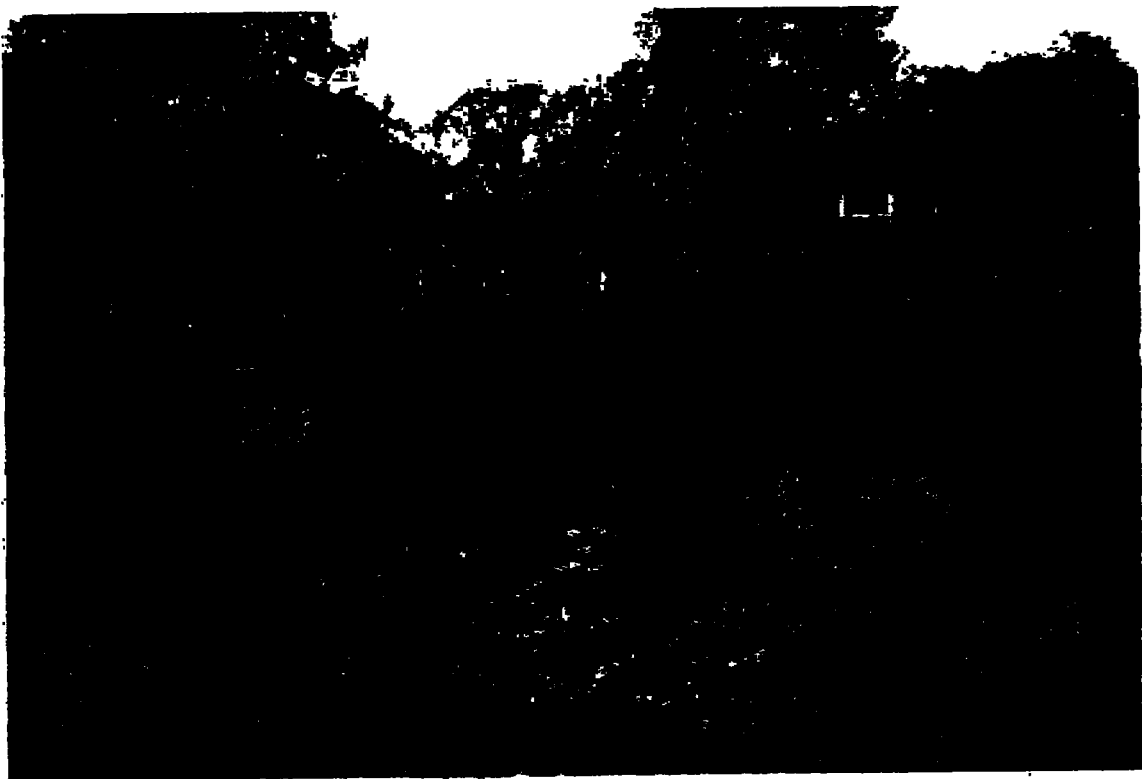
Dr. William Laidlaw, Jr
SHPO, Ohio Historic Preservation Office
Ohio Historical Society
1982 Velma Avenue
Columbus, OH 43211-1030

A handwritten signature in black ink, appearing to read 'M B Yasbin', is written over a horizontal line.

Melanie B. Yasbin
January 22, 2010

EXHIBIT F—COLOR EXHIBITS

Attachment 4



Attachment 5

